ORDINANCE NO. 20-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HELOTES, TEXAS AMENDING ORDINANCE NO. 20-03 BY REVISING THE ORIGINAL ELECTION ORDER AND CALLING FOR THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING ONE (1) COUNCIL MEMBER PLACE 1, ONE (1) COUNCIL MEMBER PLACE 2, AND ONE (1) COUNCIL MEMBER PLACE 4; CHANGING THE EARLY VOTING DATES AND HOURS; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A CONTRACT FOR ELECTION SERVICES WITH BEXAR COUNTY, TEXAS; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION.

WHEREAS, on March 13, 2020, the Governor of Texas certified that the novel Coronavirus (COVID-19) poses an imminent threat of disaster and, declared a state of disaster for all counties in Texas; and

WHEREAS, on March 18, 2020, the Governor issued a Proclamation suspending Sections 41.0052(a) of the Texas Election Code to the extent necessary to allow all local political subdivisions to move their elections scheduled for May 2, 2020 to the next uniform election date occurring on November 3, 2020; and

WHEREAS, on March 26, 2020, City Council approved Ordinance No. 20-04 to move its General Election to November 3, 2020; and

WHEREAS, on July 27, 2020 the Governor issued a Proclamation extending the early voting period for the November 3, 2020 election; and

WHEREAS, the City Secretary must now present to City Council a revised Order of Election to include changes to the election date, any changes to the main early voting location, any changes to the early voting dates and hours, and any other necessary changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HELOTES, TEXAS THAT:

SECTION ONE. REVISED ORDER OF ELECTION. The original order of election is hereby revised and a joint general election with Bexar County, Texas is hereby ordered to be held on Tuesday, November 3, 2020 from 7 am to 7 pm in the City of Helotes, Texas for the purpose of electing one (1) Council Member Place 1, one (1) Council Member Place 2, and one (1) Council Member Place 4 with each to serve a term of two (2) years, terminating in May 2022, or when their successors are duly elected and qualified. The revised Order of Election is attached hereto as Exhibit A.

SECTION TWO. ELECTION FINAL. At said election, each of the aforementioned officers shall be voted upon separately and that the person receiving the highest number of votes for each said office shall be elected to such office.

- SECTION THREE. CANDIDATE FILING AND BALLOT ORDER. Candidate filing and ballot order actions that were taken for the May 2, 2020 election are preserved. The filing period did not re-open for the postponed November 3, 2020 election.
- SECTION FOUR. ADMINISTRATION OF ELECTION. The Bexar County Elections Administrator shall act as the Contracting Officer and shall appoint election judges, alternate judges, and clerks as authorized by Texas Election Code Section 31.092. The Contract for Election Services is attached hereto as Exhibit B.
- SECTION FIVE. APPLICATIONS FOR BALLOT BY MAIL (ABBMs). Applications previously taken for the May 2, 2020 election for those voting by mail due to being over the age of 65, or due to a disability, are preserved for the November 3, 2020 election. Applications based on an expected absence from the County will not be valid. The Bexar County Elections Administrator shall receive ABBMs until the close of business on October 16, 2020 if delivered in person, and at the close of business on October 23, 2020 if delivered by mail. Requests for applications should be mailed to Jacquelyn F. Callanen, Bexar County Elections Administrator, 1103 S. Frio Street, Ste. 100, San Antonio, Texas 78207.
- <u>SECTION SIX.</u> EARLY VOTING. The main early voting location shall be the Bexar County Election Department located at 1103 S. Frio Street, San Antonio, Texas. Other early voting locations for the joint general election will be established by the Bexar County Elections Administrator. The dates and times for early voting by personal appearance are listed in the revised Order of Election attached hereto as Exhibit A.
- **SECTION SEVEN. POLLING PLACE.** The polling places will be established by the Bexar County Elections Administrator.
- SECTION EIGHT. VOTING SYSTEM. Voting at the election, including early voting, shall be by ExpressVote Voting System at the polling places established by the Bexar County Elections Administrator and for counting the ballots at said election. The voting system is provided by the Bexar County Elections Administrator, having been duly approved by the Texas Secretary of State.
- **SECTION NINE. CUSTODIAN.** The Council appoints the City Secretary as the Custodian of Records ("Custodian") and agent to the Council to perform the duties related to the conduct and maintenance of records of the Election, as required under the Texas Election Code, during the period ending not earlier than the sixtieth (60th) day after the Election.
- SECTION TEN. NOTICE. The Bexar County Elections Administrator shall be responsible for publishing a Notice of Election in a newspaper of general circulation in the City's territory. The notice shall be published one time in English and Spanish at least 10 days, and no more than 30 days before the election, and as otherwise may be required by the Texas Election Code. The City will be responsible for its own posting of public notice on the electronic bulletin board located at City Hall and on the municipal website, no later than the 21st day before the Election, or if the 21st day before the Election falls on a weekend or holiday, on the first business day thereafter. The Mayor shall issue all necessary orders and writs for the election.

SECTION ELEVEN. VOTERS. All resident, qualified voters of the City of Helotes shall be permitted to vote for one (1) Council Member Place 1, one (1) Council Member Place 2 and one (1) Council Member Place 4, respectively, in said election. In addition, the required election materials, as outlined in Section 272.005 of the Texas Election Code, shall be printed in both English and Spanish for use at the polling places and for early voting for said election.

SECTION TWELVE. CANVASS. The returns of said election shall be made in accordance with the State Election Code and shall be canvassed by the City Council at a regular or special City Council Meeting to be called between November 6 - 17, 2020.

<u>SECTION THIRTEEN.</u> AUTHORIZATION. On behalf of the City Council, the Mayor is authorized to sign the Order of Election attached hereto as Exhibit A and the Contract for Election Services attached hereto as Exhibit B.

<u>SECTION FOURTEEN.</u> SEVERABILITY. Should any part, section, subsection, paragraph, sentence, clause, or phrase contained in this Ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this Ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION FIFTEEN. REPEALER. Ordinance No. 20-03 for the original Order of Election, and all other Ordinances, or parts of Ordinances in conflict herewith, are repealed to the extent of said conflict.

SECTION SIXTEEN. EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED this 13th day of August, 2020.

Thomas A School raft, Mayor

ATTEST:

Celina Perez, City Secretary

Order of Election for City of Helotes, Texas

An election is hereby ordered to be held on November 3, 2020 for the purpose of electing one (1) Council Member Place 1, one (1) Council Member Place 2, and one (1) Council Member Place 4.

Notice is hereby given that on November 3, 2020, polling places will be open from 7 am to 7 pm. Bexar County Elections Department will set election day sites. Visit www.bexar.org for the complete list.

Early voting by personal appearance will be at the main early voting location, Bexar County Elections Department, 1103 S. Frio St., Ste. 100, San Antonio, TX 78207, and other locations as set by Bexar County Elections Department. Day and hours subject to change.

Tuesday, October 13 – Friday, October 16, 2020	8 am – 6 pm
Saturday, October 17, 2020	10 am -6 pm
Sunday, October 18, 2020	
Monday, October 19 – Friday, October 23, 2020	
Saturday, October 24, 2020	8 am – 8 pm
Sunday, October 25, 2020	
Monday, October 26 - Friday, October 30, 2020	

Applications for ballot by mail shall be delivered to Jacquelyn F. Callanen, Elections Administrator, 1103 S. Frio Street, Ste. 100, San Antonio, TX 78207 or by email to votebymail@bexar.org.

Applications for ballot by mail must be received no later than the close of business on October 16, 2020 if delivered in person and at the close of business on October 23, 2020 if delivered by mail.

Issued this the 13th day of August, 2020.

Thomas A. School raft Mayor

Orden De Elección Para Cuidad de Helotes, Texas

Por la presente se ordena que se llevará a cabo una elección el día 3 de Noviembre 2020 con el propósito de elegir un (1) Miembro del Consejo Lugar 1, un (1) Miembro del Consejo Lugar 2 y un (1) Miembro del Consejo Lugar 4.

Notifíquese, por las presente, que los sitios de votación se abrirán desde las 7 am hasta las 7 pm el 3 de Noviembre 2020 para votar en la Elección General. Departamento de Elecciones del Condado de Bexar establecerá sitios de votacion para el dia de elección. Visita www.bexar.org para lista completa

Horario para la Votación Adelantada por acto de presencia será en la localidad principal, Departamento de Elecciones del Condado de Bexar, 1103 S. Frio St., Ste. 100, San Antonio, TX 78207, y otros lugares establecidos por Departamento de Elecciones del Condado de Bexar. Dias y horarios sujeto a cambio.

Martes, Octubre 13 - Viernes, Octubre 16, 2020	8 am – 6 pm
Sabado, Octubre 17, 2020	10 am -6 pm
Domingo, Octubre 18, 2020	12 pm – 6 pm
Lunes, Octubre 19 – Viernes, Octubre 23, 2020	8 am – 6 pm
Sabado, Octubre 24, 2020	8 am – 8 pm
Domingo, October 25, 2020	\dots 12 pm -6 pm
Lunes, Octubre 26 - Viernes, Octubre 30, 2020	8 am – 8 pm

La solicitud para la boleta para votación adelantada por correspondencia se deberá enviarse por correo y en persona a Jacquelyn F. Callanen, Elections Administrator, 1103 S. Frio Street, Ste. 100, San Antonio, TX 78207 o pro email a votebymail@bexar.org.

La solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio el 16 de Octubre 2020 si se entrega en persona y al cerrar las puertas de negocio en el 23 de Octubre 2020 si se entrega por correo.

Emitida este día 13 de Agosto, 2020.

Thomas A. Schoolofatt, Alcalde

JOINT GENERAL, SPECIAL, CHARTER AND BOND ELECTION ELECCION GENERAL, ESPECIAL, CARTA Y BONOS CONJUNTO NOVEMBER 3, 2020 3 de noviembre de 2020

THE HOURS OF EARLY VOTING WILL BE: (LAS HORAS Y FECHAS DE VOTACION ADELANTADA SERAN:)

Tues., Oct. 13 thru Fri., Oct. 16	8:00 a.m. to 6:00 p.m.
Martes 13 de octubre hasta el viernes 16 de octubre de 2020	
Sat., Oct. 17, 2020	
Sabado 17 de octubre de 2020	
Sun., Oct. 18, 2020	
Domingo 18 de octubre de 2020	
Mon., Oct. 19 thru Fri., Oct. 23	
Lunes 19 de octubre hasta el viernes 23 de octubre de 2020	
Sat., Oct. 24, 2020	
Sabado 24 de octubre de 2020	
Sun., Oct. 25, 2020	
Domingo 25 de octubre de 2020	
Mon., Oct. 26 thru Fri., Oct. 30	
Lunes 26 de octubre hasta el viernes 30 de octubre de 2020	

October 13, 2020 - October 30, 2020

SUN	MON	TUES	WED	THURS	FRI	SAT
		13 *****	14	15	16 *****	17 *****
18 *****	19 ******	20	21	22 *****	23 *****	24 ***** ****
25 ******	26	27	28	29 ******	30	31
1	2	3				
		ELECTION DAY				

Legend: ******* Indicates dates open for early voting

In addition to the main early polling place, early voting will be conducted at the following locations: (Ademas de la localidad principal, votacion adelantada se llevara a cabo en las siguiente localidades:)

ALZAFAR SHRINE AUDITORIUM	901 N. Loop 1604 W
AT&T CENTER	
BROOKHOLLOW LIBRARY	

CASTLE HILLS CITY HALL (COMMUNITY ROOM)	
CLAUDE BLACK CENTER	
CODY LIBRARY	11441 Vance Jackson
COPERNICUS COMMUNITY CENTER	5003 Lord Rd.
EAST CENTRAL ISD ADMIN BUILDING66	34 New Sulphur Springs Rd
ENCINO PARK LIBRARY	2515 East Evans Rd
FAIR OAKS RANCH CITY HALL (COUNCIL CHAMBERS)	
GREAT NORTHWEST LIBRARY	9050 Wellwood
HARLANDALE CIVIC CENTER	
HELOTES CITY HALL	12951 Bandera Road
HENRY A. GUERRA, JR. LIBRARY	7978 W Military Drive
JOHN IGO LIBRARY	13330 Kyle Seale Parkway
JOHNSTON LIBRARY	6307 Sun Valley Drive
JULIA YATES SEMMES LIBRARY @ Comanche Lookout Park	5060 Judson Road
KIRBY CITY HALL	112 Bauman St
LAS PALMAS LIBRARY	515 Castroville Road
LEON VALLEY CONFERENCE CENTER	6421 Evers Rd
LION'S FIELD	2809 Broadway
MAURY MAVERICK, JR. LIBRARY	8700 Mystic Park
MCCRELESS LIBRARY MEMORIAL LIBRARY MISSION LIBRARY	1023 Ada Street
MEMORIAL LIBRARY	3222 Culebra
MISSION LIBRARY	3134 Roosevelt Ave.
NORTHSIDE ACTIVITY CENTER	7001 Culebra
NORTHWEST VISTA COLLEGE	3535 N. Ellison Dr.
OLMOS CITY HALL	120 El Prado W
PALO ALTO COLLEGE	1400 W. Villaret Blvd.
PARMAN LIBRARY@Stone Oak	20735 Wilderness Oak
SAN ANTONIO COMMUNITY COLLEGE (Victory Center)	1802 N. Main
SCHAEFER LIBRARY	6322 US Hwy 87 E
SAN ANTONIO COMMUNITY COLLEGE (Victory Center)	900 Saddletree Ct
SOMERSET CITY HALL	7360 E. 6 th , Somerset
SOUTHSIDE ISD ADMIN BLDG (BOARD ROOM)	1460 Martinez-Losoya
SOUTHWEST ISD ADMIN BLDG	11914 Dragon Lane
THOUSAND OAKS/EL SENDERO LIBRARY	4618 Thousand Oaks
TOBIN LIBRARY @OAKWELL	4134 Harry Wurzbach
UNIVERSAL CITY LIBRARY	100 Northview Dr.
WINDCREST TAKAS PARK CIVIC CENTER	9310 Jim Seal Dr.
WONDERLAND MALL OF THE AMERICAS @ CROSSROADS	4522 Fredericksburg

subject to change (sujeto a cambio)

For more information contact the office of the Bexar County Elections Administrator, Jacquelyn F. Callanen, at (210) 335-VOTE (8683)

(Para mas informacion comuniquese con oficina del Condado de Bexar Administrador de Elecciones, Jacquelyn F. Callanen, al telefono (210) 335-VOTE (8683))

JOINT ELECTION AGREEMENT

This Agreement is entered into by and between Bexar County Elections Administrator ("ADMINISTRATOR"), acting on behalf of Bexar County; Edwards Aquifer Authority ("EAA"); the Advanced Transportation District ("ATD"); Alamo Community College District ("ACCD"); Alamo Heights Independent School District ("AHISD"); Comal Independent School District ("CSD"); East Central Independent School District ("ECISD"); Medina Valley Independent School District ("MVISD"); North East Independent School District ("NEISD"); San Antonio Independent School District ("SAISD"); Somerset Independent School District ("SISD"); South San Antonio Independent School District ("SSISD"); Southside Independent School District ("SSISD"); Southwest Independent School District ("NEISD"); the City of Alamo Heights ("COAH"); the City of Balcones Heights ("COBH"); the City of Castle Hills ("COCH"); the City of China Grove ("COCG"); the City of Converse ("COC"); the City of Elmendorf ("COE"); the City of Fair Oaks Ranch (COFOR"); the City of Grey Forest ("COGF"); the City of Helotes ("COH"); the City of Hill Country Village ("COHCV"); the Town of Hollywood Park ("TOHP"); the City of Kirby ("COK"); the City of Leon Valley ("COLV"); the City of Live Oak ("COLO"); the City of Olmos Park ("COOP"); the City of San Antonio ("COSA"); the City of Schertz ("COSCH); the City of Selma ("COS1"): the City of Shavano Park ("COSP"); the City of Somerset ("COS2"); the City of Terrell Hills ("COTH"); the City of Universal City ("COUC"); the City of Windcrest ("COW"); the Windcrest WD #10 ("WD#10"); the Green Valley Special District ("GVS"); the Trinity Glen-Rose Groundwater District ("TGR") and the San Antonio MUD #1 ("SAMUD"); and they may also be referred to, individually, as an "Entity" or, collectively, as the "Entities," acting by and through their duly appointed and qualified representatives, pursuant to Texas Election Code Section 271.002(a), for the November 3, 2020 election.

WHEREAS, EAA will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, ATD will conduct a special election on Tuesday, November 3, 2020; and

WHEREAS, ACCD will conduct a general and special election on Tuesday, November 3, 2020; and

WHEREAS, AHISD will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, CISD will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, ECISD will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, MVISD will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, NEISD will conduct a general and special election on Tuesday, November 3, 2020; and

WHEREAS, SAISD will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, SISD will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, SSISD will conduct a bond election on Tuesday, November 3, 2020; and

WHEREAS, SWISD will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, COAH will conduct a general and bond election on Tuesday, November 3, 2020; and

WHEREAS, COBH will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COCH will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COCG will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COC will conduct a general and annexation election on Tuesday, November 3, 2020; and WHEREAS, COE will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COFOR will conduct a general and special election on Tuesday, November 3, 2020; and WHEREAS, COGF will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COH will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COHCV will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, TOHP will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COK will conduct a general and special election on Tuesday, November 3, 2020; and WHEREAS, COLV will conduct a general and special election on Tuesday, November 3, 2020; and **WHEREAS**, COLO will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COOP will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COSA will conduct a special election on Tuesday, November 3, 2020; and WHEREAS, COSCH will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COSP will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COS1 will conduct a special election on Tuesday, November 3, 2020; and WHEREAS, COS2 will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COTH will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COUC will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, COW will conduct a bond election on Tuesday, November 3, 2020; and WHEREAS, WD#10 will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, GVS will conduct a general election on Tuesday, November 3, 2020; and WHEREAS, TGR will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, SAMUD will conduct a general election on Tuesday, November 3, 2020; and

WHEREAS, Section 271.002(a) of the Texas Election Code authorizes two or more political subdivisions to enter into an agreement to hold elections jointly in the Vote Centers that can be served by common polling places; and

WHEREAS, the Entities desire that a joint election be held in order to provide a convenient, simple, and cost-saving election to the voters in their respective jurisdictions; and

WHEREAS, the Entities desire to enter into an agreement setting out their respective duties and responsibilities for the November 3, 2020 election;

NOW THEREFORE, it is agreed that the Entities will hold a joint election on Tuesday, November 3, 2020 (the "Joint Election") under the following terms and conditions:

T.

The Entities are each required to enter into their own separate contract with ADMINISTRATOR for election services and will hold elections jointly with other Entities in the Vote Centers that can be served by common polling places, using joint election officer and clerks as ADMINISTRATOR determines is necessary to hold an election safely for Officials and Voters alike due to COVID 19 as appropriate.

II.

The Entities agree to conduct early voting jointly. ADMINISTRATOR will arrange for and handle early voting in person and by mail for the Joint Election in accordance with her contracts with those Entities. Appropriate notices to the public related to early voting will be provided by the Entities.

III.

The Entities agree that a single ballot, containing all the measures and offices to be voted on shall be used in this Joint Election.

IV.

Each Entity is responsible for its own posting of public notices in connection with the Joint Election. ADMINISTRATOR shall be responsible for publishing a Notice of Election in a newspaper of general circulation in the territory as required of all the Entities under Section 4.003 of the Election Code, and each Entity shall pay ADMINISTRATOR its proportionate share of the publishing cost.

V.

Each Entity is responsible for paying ADMINISTRATOR for any and all other election costs, as applicable to the specific Entity and agreed upon by separate contract for election services between each Entity and ADMINISTRATOR.

VI.

ADMINISTRATOR will tabulate the ballots and provide a set of copies of the affidavit page of each return along with the returns of the election, as agreed upon by separate contract between each Entity and ADMINISTRATOR.

VII.

Each Entity will be responsible for canvassing its respective precinct returns for the Joint Election.

VIII.

The Entities agree to comply with any and all applicable state and federal record retention statutes. Each Entity shall be the custodian of its respective election records.

IX.

If an Entity determines not to participate in the Joint Election to be held on Tuesday, November 3, 2020, because it has no contested positions, the nonparticipating Entity shall promptly notify ADMINISTRATOR and the other Entities, and this Agreement shall be automatically amended to delete the nonparticipating Entity as a party to the Agreement.

X.

The undersigned persons are the duly authorized signatories of their Entities, and their signatures represent acceptance of the terms and conditions of this Agreement, as passed and approved by their respective governing bodies.

XI.

This Agreement may be executed in two or more counterparts. Together the counterparts shall be deemed an executed original instrument. The Entities may execute this Agreement and exchange counterparts of the signature pages by means of facsimile or email transmission, and the receipt of executed counterparts by facsimile or email transmission shall be binding on the Entities. Following a facsimile or email exchange, the Entities shall promptly exchange original signature pages.

SIGNED and AGREED this 13th day of August, 2020

BEXAR COUNTY ELECTIONS ADMINISTRATOR

CITY OF HELOTES, TEXAS

Jacquelyn F. Callanen

Thomas A Schoolcraft, Mayor